

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us



Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

David Whitley
Secretary of State

March 15, 2019

Summary of Information Regarding Cancellation of Voters for Failure to Respond to Notice of Examination

The Elections Division has conducted a review of certain voters who were identified as potential non-citizens in connection with the Secretary of State's Election Advisory No. 2019-02 issued on January 25, 2019. Specifically, the Elections Division reviewed those individuals who—at the time of the staff's review—were shown in TEAM (the statewide voter registration database) as having a current status of cancelled for failure to respond to a notice of examination. The Elections Division conducted its review by examining the voter's record in TEAM and communicating directly with election officials in the county of the voter's residence.

Through its review, the Elections Division was able to confirm that—as of the time of its snapshots—14 voters were identified as having a current status of cancelled for failure to respond to a notice of examination issued as part of the non-citizen list maintenance process. In each of these 14 instances, the voters have now been reinstated.

Based on its review, the Elections Division provides the following information:

March 13 Review

- As of the Elections Division's review on the afternoon of March 13, 2019, 28 individuals from the original 98,017 data set sent to counties on January 26 were shown in TEAM as having a current status of cancelled due to failure to respond to a notice of examination (including notices related to felony conviction, address relocation, death, and non-citizen status based on jury excusal/disqualification).
- These 28 cancellations spanned 13 counties:
 - Bexar County (3)
 - Callahan County (1)
 - Cameron County (1)
 - Coke County (1)
 - DeWitt County (2)
 - Galveston County (2)
 - Harris County (7)
 - Matagorda County (3)
 - Montague County (2)
 - Tom Green County (1)
 - Travis County (3)

- Victoria County (1)
- Willacy County (1)
- On March 13, 2019, Elections Division attorneys Christina Adkins, Jean Gill, Heidi Martinez, Chuck Pinney, and Krystine Ramon contacted these 13 counties to obtain further information regarding the cancellations.
- Our office's discussions with county officials revealed that 10 of the 28 failure-to-respond cancellations identified in our March 13 snapshot were related to the non-citizen list maintenance process:
 - Coke County (1) – cancellation occurred on March 12, 2019
 - DeWitt County (2) – cancellations occurred on February 4, 2019
 - These cancellations precede the end of any 30-day period. County officials explained that they removed these individuals for failure to respond because the notices were returned as undeliverable.
 - Matagorda County (3) – cancellations occurred on March 7, 2019
 - Montague County (2) – cancellations occurred on February 28 and March 5, 2019
 - Victoria County (1) – cancellation occurred on March 7, 2019
 - Willacy County (1) – cancellation occurred on February 20, 2019
 - This cancellation precedes the end of the 30-day period. County officials acknowledged that they had mistakenly removed this individual before the 30-day period had run.
- For these 10 cancellations, Elections Division staff advised county officials—consistent with the Secretary of State's prior advisories to county officials—that the voters should be reinstated immediately. The TEAM records show that 8 voters were reinstated on March 13, 2019 and 2 voters were reinstated on March 14, 2019.
- We have received confirmation that the other 18 failure-to-respond cancellations identified in our March 13 snapshot are unrelated to the non-citizen list maintenance process:
 - Bexar County (3)
 - 2 notices related to non-citizen status based on jury excusal/disqualification.
 - 1 notice related to felony conviction.
 - Callahan County (1)
 - The notice related to non-citizen status based on jury excusal/disqualification.
 - Cameron County (1)
 - The notice related to non-citizen status based on jury excusal/disqualification.
 - Galveston County (2)
 - Both notices related to non-citizen status based on jury excusal/disqualification.
 - Harris County (7)
 - 4 notices related to address relocation.
 - 2 notices related to death.
 - 1 notice related to non-citizen status but was sent prior to the commencement of the non-citizen list maintenance process.

Page 3

- Tom Green County (1)
 - The notice related to non-citizen status but was sent prior to the commencement of the non-citizen list maintenance process.
- Travis County (3)
 - All 3 notices related to non-citizen status based on jury excusal/disqualification.
- Because our March 13 review is only a snapshot of TEAM records that exist as of the time of our staff's review, it does not include any individuals who were cancelled and subsequently reinstated prior to our snapshot.

March 14 Supplemental Review

The Elections Division conducted a further review of data relating to the original 98,017 data set during the morning of March 14, 2019.

Based on this review, the Elections Division provides the following supplemental information:

- As of the Elections Division's snapshot review on the morning of March 14, 2019, 4 new individuals from the original 98,017 data set were shown in TEAM as having a current status of cancelled due to failure to respond to a notice of examination.
- Each of these 4 cancellations was made by Zavala County, all on March 13.
- On March 14, Elections Division staff Kristi Hart and Lillian Eder contacted Zavala County to obtain further information regarding the cancellations.
- Our office's discussions with Zavala County revealed that their 4 failure-to-respond cancellations on March 13 were related to the non-citizen list maintenance process.
- Elections Division staff advised Zavala County that these voters should be reinstated immediately, as staff had informed other counties on March 13. The TEAM records show that all 4 voters were reinstated on March 14, 2019.
- As with our March 13 review, the March 14 snapshot does not include any individuals who were cancelled and subsequently reinstated prior to our snapshot.

As a reminder: These reviews only reflect a snapshot of the voter registration database at the time of the Elections Division's review. And given that voter registration is a dynamic process, figures for registration and cancellation are constantly updating. The Elections Division will continue monitoring its records to ensure that any cancellations comply with court orders involving the non-citizen list maintenance process.

Keith Ingram
Director of Elections